

REMARKS

Claims 1, 22-24 and 38-79 are pending in the application. Claims 38-52 were rejected under 35 U.S.C. § 101. Claim 78 was objected to under 35 U.S.C. § 101. Claim 73 was rejected under 35 U.S.C. § 112, second paragraph. Claims 1, 22-24, and 38-79 were rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,952,181 to Karr *et al.* (hereinafter “Karr”).

Claims 38-52 have been amended to overcome the § 101 rejection. In accordance with the Office Action’s suggestion, claims 38-52 have been amended to recite “a computer readable medium containing a program.” These amendments neither broaden nor narrow the scope of the claims. Accordingly, Applicant respectfully requests withdrawal of this rejection.

The objection to claim 78 is noted. In response, claim 78 has been amended to clarify Applicant’s use of the term subordinate. As amended, claim 78 clarifies that the term “subordinate” has the meaning of “having a connection with.” This amendment was made for the sake of clarity and neither broadens nor narrows the scope of the claim. Accordingly, reconsideration and withdrawal of this objection is respectfully requested.

The claim covers the following processing content: the wireless (terminal) station, which has a connection with the wireless (base) station, receives a positioning request including information associated with a characteristic of the wireless (terminal) station from the server, and measures a distance between the wireless (base) station and the wireless (terminal) station. Then, the server employs this measurement distance, in order to specify a position of the wireless (terminal) station. At this time, the wireless (terminal) station decides a measurement number of times of the distance based upon the characteristic of the wireless (terminal) station.

Claim 73 was rejected under 35 U.S.C. §112, second paragraph. In response, claim 73 has been amended to be in full compliance with all §112 requirements. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Claims 1, 22-24, and 38-79 were rejected under 35 U.S.C. § 102 as being anticipated by Karr. Applicant respectfully disagrees with the Office Action's rejection of these claims.

In the claimed invention, a wireless station can be located more efficiently and accurately by storing data about the characteristics of this station to help determine how many base stations should be used to triangulate the location of the station.

Independent claims 1, 23, 24, and 38 recite *inter alia*, "a database having...number-of-times conclusion information." Similarly, independent claim 39 recites, *inter alia*, "retrieving necessary measurement number-of-times conclusion information...from a table."

Page 4 of the Office Action equates "number-of-times conclusion information" with the data stored in TABLE SP-5 of Karr. This comparison is erroneous because the information stored in Karr's table is not used to determine how many of a plurality of base stations should be utilized to locate a wireless station. Karr's TABLE SP-5 contains information completely unrelated to any determination of location procedures: the manufacturer, the model number, the revisions levels, the maximum number of CDMA finger and pilots detectable, the transmit power class and the receiver thermal noise floor.

Furthermore, the information stored in Karr's TABLE SP-5 is not used to facilitate any location procedures. Rather, according to the portions of the specification cited on Page 4-5 of the Office Action, Karr "uses the above table data to perform the following functions: 1) act as a low pass filter to adjust the normal assumptions related to the maximum number of CDMA fingers, pilots detectable, and 2) determine the transmit power class and the receiver thermal noise floor." These applications in no way relate to determining the location of a wireless station.

Thus, the portions of Karr cited in the Office Action do not disclose or teach "a database having...number-of-times conclusion information," as required by claims 1, 23, 24, and

38 or “retrieving necessary measurement number-of-times conclusion information...from a table,” as required by claim 39.

For at least the foregoing reasons, claims 1, 23, 24, 38 and 39 are patentable over Karr. Claims 40-49 and 50-52 depend either directly or indirectly from independent claim 39 and include all the limitations found therein. Each of these dependent claims includes additional limitations which, in combination with the limitations of the claims from which they depend, are neither disclosed nor suggested in the art of record. Accordingly, claims 40-49 and 50-52 are likewise patentable.

Independent claims 22 and 77 recite, *inter alia*, “deciding a measurement number of times of the communication situation based upon a characteristic of said wireless station,” while independent claim 53 recites, *inter alia*, “deciding the measurement number of times of the communication situation based upon a characteristic of said wireless station.”

Page 5 of the Office Action states that the limitation “deciding...measurement number of times of the communication situation based upon a characteristic of said wireless station,” is disclosed because Karr utilizes TABLE SP-5 to determine the number of CDMA fingers and pilots detectable which are used to filter the incoming RF signals. An RF signal is a frequency or rate of oscillation, not a location or information about how many base stations should locate the wireless station. As discussed earlier, Karr does not relate to deciding the number of measurements necessary to locate a wireless station. Thus, the portions of Karr cited in the Office Action do not disclose or teach “deciding...measurement number of times of the communication situation based upon a characteristic of said wireless station,” as required by independent claims 22, 77, and 53.

For at least the foregoing reasons, claims 22, 53, and 77 are patentable over Karr. Claims 54-57, 56-61, 63-71, and 72-74 depend either directly or indirectly from independent claim 53 and include all the limitations found therein. Each of these dependent claims includes

additional limitations which, in combination with the limitations of the claims from which they depend, are neither disclosed nor suggested in the art of record. Accordingly, claims 54-57, 56-61, 63-71, and 72-74 are likewise patentable.

Independent claim 75 recites, *inter alia*, “obtaining a new measurement number of times,” while independent claim 76 similarly recites, *inter alia*, “deciding a new measurement number of times.” Meanwhile, independent claims 78 and 79 recite, *inter alia*, “deciding a measurement number of times.”

Once again, the Office Action on Page 13 equates the functionality recited in each limitation above with Karr’s use of TABLE SP-5 to filter incoming RF signal measurements. As discussed earlier, this application of Karr in no way relates to “deciding a number of times” or “obtaining a number of times,” or “deciding a measurement number of times,” as required respectively in claims independent 75, 76, and 78-79. Accordingly, for at least the foregoing reasons, claims 75, 76, 78 and 79 are patentable over Karr.

In view of the above amendments, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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